



PA
03CO
Box Seq

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

100 NEW YORK AVENUE, N.W. • WASHINGTON, D.C. 20005-3934

PHONE (202) 371-2600 • FACSIMILE (202) 371-2540 • www.skf.com

ROBERT GREENE STERNE JOHN M. COVERT
EDWARD J. KESSLER ANDREA E. ALCORN
JORGE A. GOLDSTEIN ROBERT C. MILLONIG
SAMUEL L. FOX*** MICHAEL V. MESSINGER
DAVID K.S. CORNWELL JUDITH U. KIM
ROBERT W. EDMOND TIMOTHY J. SHEA, JR.
TRACY-GENE G. DURKIN PATRICK E. GARRETT
MICHELE A. Cimbala JEFFREY T. HELVEY*
MICHAEL B. RAY HEIDI L. KRAUS
ROBERT E. SOKOHL JEFFREY R. KURIN
ERIC K. STEFFE PATRICK D. O'BRIEN
MICHAEL Q. LEE LAWRENCE B. BUGAISKY
STEVEN R. LUDWIG CRYSTAL D. SAYLES

EDWARD W. YEE
ALBERT L. FERRO*
DONALD R. BANOWITZ
PETER A. JACKMAN
MOLLY A. McCALL
TERESA U. MEDLER
JEFFREY S. WEAVER
KENDRICK P. PATTERSON
DONALD J. FEATHERSTONE
VINCENT L. CAPUANO
JOHN A. HARROUN*
ALBERT J. FASULO II*
ELDORA ELLISON FLOYD*

W. RUSSELL SWINDELL
THOMAS C. FIALA
BRIAN J. DEL BUONO*
VIRGIL L. BEASTON*
RYAN J. STAMPER*
REGINALD D. LUCAS*
THEODORE A. WOOD
ELIZABETH J. HAANES
BRUCE E. CHALKER
JOSEPH S. OSTROFF
KAREN R. MARKOWICZ**
SUZANNE E. ZISKA**
ANDREA J. KAMAGE**

NANCY J. LEITH**
JOSEPH M. CONRAD, III**
DOUGLAS M. WILSON**
ANN E. SUMMERFIELD**
CYNTHIA M. BOUCHEZ**
HELENE C. CARLSON**
GABY L. LONGSWORTH**
DUSTIN T. JOHNSON**
MATTHEW J. DOWD**
AARON L. SCHWARTZ**

*LIMITED TO MATTERS
AND PROCEEDINGS BEFORE
FEDERAL COURTS & AGENCIES
**REGISTERED PATENT AGENT
***SENIOR COUNSEL

October 29, 2001

WRITER'S DIRECT NUMBER:
(202) 371-2619

INTERNET ADDRESS:
SCHWARTZ@SKGF.COM

Commissioner for Patents
Washington, D.C. 20231

Group Art Unit 1656

Re: U.S. Utility Patent Application
Appl. No. 09/829,066; Filed: April 10, 2001
For: **Method for Isolating and Recovering Target DNA or RNA Molecules
Having a Desired Nucleotide Sequence**
Inventors: Nisson *et al.*
Our Ref: 0942.4800002/RWE/ALS

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Notice of Incomplete Reply (Nonprovisional);
2. Third Preliminary Amendment and Submission of Substitute Sequence Listing Under 37 C.F.R. § 1.825(a);
3. Fee Transmittal Form (PTO/SB/17) (*in duplicate*);
4. Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1) (*in duplicate*);
5. 9 pages of a paper copy of the Substitute Sequence Listing;
6. A computer readable disk copy of the Substitute Sequence Listing;

Commissioner for Patents
October 29, 2001
Page 2

7. Information Disclosure Statement;
8. Form PTO-1449 (1 sheet citing 2 documents);
9. 2 documents cited in Form PTO-1449 attached;
10. Our check no. 33014 for \$920.00 to cover:
\$920.00 Extension of Time Fee Under 37 C.F.R. § 1.136; and
11. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Aaron L. Schwartz
Agent for Applicants
Registration No. 48,181

RWE/ALS/lam
Enclosures

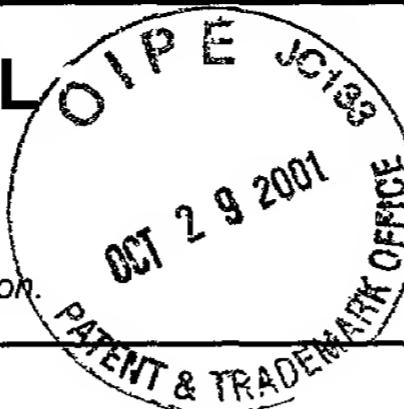
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$920.00)



Complete if Known

Application Number	09/829,066
Filing Date	April 10, 2001
First Named Inventor	Paul E. Nisson
Examiner Name	To be assigned
Group Art Unit	1656
Attorney Docket No.	0942.4800002/RWE/ALS

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																																																																																						
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:</p> <p>Deposit Account Number 19-0036</p> <p>Deposit Account Name Sterne, Kessler, Goldstein & Fox PLLC</p> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27</p>		<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Description</th> <th>Fee paid</th> </tr> </thead> <tbody> <tr> <td>Fee Code</td> <td>Fee (\$)</td> <td>Fee Code</td> <td>Fee (\$)</td> </tr> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td>For filing a request for ex parte reexamination</td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> </tr> <tr> <td>116</td> <td>400</td> <td>216</td> <td>200</td> <td>Extension for reply within second month</td> </tr> <tr> <td>117</td> <td>920</td> <td>217</td> <td>460</td> <td>Extension for reply within third month</td> </tr> <tr> <td>118</td> <td>1,440</td> <td>218</td> <td>720</td> <td>Extension for reply within fourth month</td> </tr> <tr> <td>128</td> <td>1,960</td> <td>228</td> <td>980</td> <td>Extension for reply within fifth month</td> </tr> <tr> <td>119</td> <td>320</td> <td>219</td> <td>160</td> <td>Notice of Appeal</td> </tr> <tr> <td>120</td> <td>320</td> <td>220</td> <td>160</td> <td>Filing a brief in support of an appeal</td> </tr> <tr> <td>121</td> <td>280</td> <td>221</td> <td>140</td> <td>Request for oral hearing</td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive - unavoidable</td> </tr> <tr> <td>141</td> <td>1,280</td> <td>241</td> <td>640</td> <td>Petition to revive - unintentional</td> </tr> <tr> <td>142</td> <td>1,280</td> <td>242</td> <td>640</td> <td>Utility issue fee (or reissue)</td> </tr> <tr> <td>143</td> <td>460</td> <td>243</td> <td>230</td> <td>Design issue fee</td> </tr> <tr> <td>144</td> <td>620</td> <td>244</td> <td>310</td> <td>Plant issue fee</td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td>Petitions to the Commissioner</td> </tr> <tr> <td>123</td> <td>130</td> <td>123</td> <td>130</td> <td>Petitions related to provisional applications</td> </tr> <tr> <td>126</td> <td>180</td> <td>126</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> </tr> <tr> <td>Total Claims</td> <td>- 20** =</td> <td>X</td> <td>=</td> <td></td> </tr> <tr> <td>Indep. Claims</td> <td>- 3** =</td> <td>X</td> <td>=</td> <td></td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td></td> <td>=</td> <td></td> </tr> <tr> <td>Large Entity Fee (\$)</td> <td>Small Entity Fee (\$)</td> <td>Fee Description</td> <td></td> <td></td> </tr> <tr> <td>103</td> <td>18</td> <td>203</td> <td>9</td> <td>Claims in excess of 20</td> </tr> <tr> <td>102</td> <td>84</td> <td>202</td> <td>42</td> <td>Independent claims in excess of 3</td> </tr> <tr> <td>104</td> <td>280</td> <td>204</td> <td>140</td> <td>Multiple dependent claim</td> </tr> <tr> <td>108</td> <td>84</td> <td>209</td> <td>42</td> <td>**Reissue independent claims over original patent</td> </tr> <tr> <td>110</td> <td>18</td> <td>210</td> <td>9</td> <td>**Reissue claims in excess of 20 and over original patent</td> </tr> <tr> <td colspan="4">SUBTOTAL (1) (\$ 0.00)</td> <td>920.00</td> </tr> <tr> <td colspan="4">*Reduced by Basic Filing Fee Paid</td> <td>SUBTOTAL (3) (\$ 920.00)</td> </tr> </tbody> </table>					Large Entity	Small Entity	Fee Description	Fee paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	105	130	205	65	Surcharge - late filing fee or oath	127	50	227	25	Surcharge - late provisional filing fee or cover sheet	139	130	139	130	Non-English specification	147	2,520	147	2,520	For filing a request for ex parte reexamination	112	920*	112	920*	Requesting publication of SIR prior to Examiner action	113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	115	110	215	55	Extension for reply within first month	116	400	216	200	Extension for reply within second month	117	920	217	460	Extension for reply within third month	118	1,440	218	720	Extension for reply within fourth month	128	1,960	228	980	Extension for reply within fifth month	119	320	219	160	Notice of Appeal	120	320	220	160	Filing a brief in support of an appeal	121	280	221	140	Request for oral hearing	138	1,510	138	1,510	Petition to institute a public use proceeding	140	110	240	55	Petition to revive - unavoidable	141	1,280	241	640	Petition to revive - unintentional	142	1,280	242	640	Utility issue fee (or reissue)	143	460	243	230	Design issue fee	144	620	244	310	Plant issue fee	122	130	122	130	Petitions to the Commissioner	123	130	123	130	Petitions related to provisional applications	126	180	126	180	Submission of Information Disclosure Stmt	Total Claims	- 20** =	X	=		Indep. Claims	- 3** =	X	=		Multiple Dependent			=		Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description			103	18	203	9	Claims in excess of 20	102	84	202	42	Independent claims in excess of 3	104	280	204	140	Multiple dependent claim	108	84	209	42	**Reissue independent claims over original patent	110	18	210	9	**Reissue claims in excess of 20 and over original patent	SUBTOTAL (1) (\$ 0.00)				920.00	*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 920.00)
Large Entity	Small Entity	Fee Description	Fee paid																																																																																																																																																																																					
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																					
105	130	205	65	Surcharge - late filing fee or oath																																																																																																																																																																																				
127	50	227	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																				
139	130	139	130	Non-English specification																																																																																																																																																																																				
147	2,520	147	2,520	For filing a request for ex parte reexamination																																																																																																																																																																																				
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																				
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																				
115	110	215	55	Extension for reply within first month																																																																																																																																																																																				
116	400	216	200	Extension for reply within second month																																																																																																																																																																																				
117	920	217	460	Extension for reply within third month																																																																																																																																																																																				
118	1,440	218	720	Extension for reply within fourth month																																																																																																																																																																																				
128	1,960	228	980	Extension for reply within fifth month																																																																																																																																																																																				
119	320	219	160	Notice of Appeal																																																																																																																																																																																				
120	320	220	160	Filing a brief in support of an appeal																																																																																																																																																																																				
121	280	221	140	Request for oral hearing																																																																																																																																																																																				
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																																				
140	110	240	55	Petition to revive - unavoidable																																																																																																																																																																																				
141	1,280	241	640	Petition to revive - unintentional																																																																																																																																																																																				
142	1,280	242	640	Utility issue fee (or reissue)																																																																																																																																																																																				
143	460	243	230	Design issue fee																																																																																																																																																																																				
144	620	244	310	Plant issue fee																																																																																																																																																																																				
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																																				
123	130	123	130	Petitions related to provisional applications																																																																																																																																																																																				
126	180	126	180	Submission of Information Disclosure Stmt																																																																																																																																																																																				
Total Claims	- 20** =	X	=																																																																																																																																																																																					
Indep. Claims	- 3** =	X	=																																																																																																																																																																																					
Multiple Dependent			=																																																																																																																																																																																					
Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description																																																																																																																																																																																						
103	18	203	9	Claims in excess of 20																																																																																																																																																																																				
102	84	202	42	Independent claims in excess of 3																																																																																																																																																																																				
104	280	204	140	Multiple dependent claim																																																																																																																																																																																				
108	84	209	42	**Reissue independent claims over original patent																																																																																																																																																																																				
110	18	210	9	**Reissue claims in excess of 20 and over original patent																																																																																																																																																																																				
SUBTOTAL (1) (\$ 0.00)				920.00																																																																																																																																																																																				
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 920.00)																																																																																																																																																																																				
2. EXTRA CLAIM FEES		Extra	Fee from below	Fee Paid																																																																																																																																																																																				
Total Claims		- 20** =	X	=																																																																																																																																																																																				
Indep. Claims		- 3** =	X	=																																																																																																																																																																																				
Multiple Dependent				=																																																																																																																																																																																				
Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description																																																																																																																																																																																						
103	18	203	9	Claims in excess of 20																																																																																																																																																																																				
102	84	202	42	Independent claims in excess of 3																																																																																																																																																																																				
104	280	204	140	Multiple dependent claim																																																																																																																																																																																				
108	84	209	42	**Reissue independent claims over original patent																																																																																																																																																																																				
110	18	210	9	**Reissue claims in excess of 20 and over original patent																																																																																																																																																																																				
SUBTOTAL (2) (\$ 0.00)				920.00																																																																																																																																																																																				

** or number previously paid, if greater. For Reissues, see above

SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Aaron L. Schwartz	Registration No. (Attorney/Agent)	48,181	Telephone	202-371-2600
Signature				Date	10/29/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SKGF Rev. 10/01/01 mnac

eotfeetrn